

## INSLEY'S FATE TO BE IN JURY'S HANDS BY 5 O'CLOCK

Self Defense the Plea Set Up By Man Accused of Deliberately Killing His Brother-in-Law.

### INFANT CHILD FIGURES LARGELY IN TRIAL

The trial of Thomas A. Insley, charged with the murder of his brother-in-law, John A. Higgins, on the evening of March 7 last, will be concluded, as far as evidence, argument and the instructions of the court are concerned by 5 o'clock this afternoon. All morning the attorneys have been in argument, presenting their views and constructing for the jury logical chains of events from the evidence leading, however, to widely different conclusions.

The prosecution, whose argument was opened by A. B. Robertson, special prosecutor retained by the relatives of the dead man, took the stand that the killing of Higgins, which is admitted by Insley, was premeditated and deserving of the heaviest punishment in the power of the law to give. M. J. McGinnis, assistant district attorney, spoke along this line also. Both the young men made good addresses which gave promise of the better things they might do later when more ripened in legal practice.

The defense upheld throughout the contention of self defense which Insley indicated in his story upon the stand last night. J. A. Miller opened for the defense and used an hour and ten minutes of the time allotted that side of the case. He was followed by E. L. Medler, who made a strong and eloquent plea for the freedom of Insley, on the ground of self defense. He pictured vividly the stress of the fatal night, when Insley saw his brother about to be swept from his arms and taken by his mother and her brother far beyond his reach; he showed the brutality of the blow dealt Insley by Higgins, and he summed up the evidence introduced by the defense to three points, first, that Higgins had been found dead in the Insley store with a hole in his head; second, that Insley had been found in the back part of the store, and third, Mrs. Insley had run up the street.

He also pictured the paternal love Insley bore the baby which figures so largely in the case, showing that the first articulate words Insley had spoken after the event had been relative to his child.

District Attorney Klock had one hour and a half to speak when he began his closing speech for the prosecution at a quarter of three. It is expected that the court's instructions to the jury will not occupy more than half an hour. In this event, the case will be in the hands of the jury by 5 o'clock.

After a term of many hours on the witness stand, Thomas Insley's story of his killing John A. Higgins last March could not be shaken. Insley was placed on the stand shortly before 4 o'clock. He remained there until after 10 o'clock, when his cross examination by the prosecution was finished at the session last night.

Insley put up the plea of self defense, and his story, as he told how he was covered by a larger man, and in what he claimed mortal fear, sounded very convincing as he illustrated every point with gestures and admitted in so many words that he had shot his brother-in-law. Insley made no denial of the stories of family troubles. Instead, he admitted them. He admitted his quarrel with Higgins, in fact he admitted everything the prosecution had set up against him except the actual premeditation of the shooting.

Insley told the story of the evening of the shooting in a manner which well illustrated his claims of self defense. He began his recital by telling of trouble with his wife over changing the lamp clothes the lady had on. He told of his wife angrily flouncing from the room, saying as she went, "Oh, damn you, I'll fix you," and of his subsequently going to the store, taking the infant over which they had quarreled with him. He told of his wife's return to the store, and his demands for money to attend the picture show, a thing over which he admitted former contentions. Then he told of the coming of his wife and her brother, of a threatening gesture and speech made to him by Higgins, of the latter's saying "You—damn you," and of his being pushed all the time; he wanted the key and we want the baby and we're going to have them."

Then he told, with minute attention to detail, of the baby's frightened crying when the angry voices were heard, and of Higgins knocking him down and striking him again after he rose, standing over him with his right hand behind him. Then the accused man, blantly and without any tremor in his voice, made the admission upon which hangs his life as on a hair:

"I picked up the gun standing in the space against the wall and wheeled around and let him have it. When Higgins fell, my wife screamed out, 'Oh, papa, what made you do it?' I said: 'It was either him or me, dear, and I am looking out for myself. I shot because I thought in my heart that he would kill me the next instant if I didn't.'"

Pausing an instant, Insley continued his story, telling of his wife's frantic efforts to commit suicide by swallowing cyanide of potassium from a can in the rear of the store, after he had refused her entreaties to kill her, too. In his struggle with his wife, Insley said, the gun was discharged again, making the second

hole in the wall, shown in the picture.

Evidence was introduced showing that Higgins had been called from the supper table in the Los Angeles restaurant, where he boarded, by his sister on the night of the shooting. Mrs. Insley was called to the stand but the court sustained a motion from the defense, citing the laws which prevented a wife's testifying against her husband. She was excused, with visible relief on her part.

Throughout Insley's story his brother-in-law his infant child played around its aunt and grandmother inside the railing of the court room. Insley told his tale as if he loved the sister of the dead man very dearly, yet was forced to admit, on cross examination, that he had been married three times previously, and that his divorced wives were still alive, so far as he knew.

## DRAMATIC READING BY DEVINE

Reverend Mark Wayne Williams Will Render Story of "Nehemiah" On Tomorrow Night.

Most novel, entertaining and highly dramatic will be the monologue rendition of the Biblical story of "Nehemiah" tomorrow evening in the Methodist Episcopal church by Rev. Mark Wayne Williams of Milwaukee. The dramatization of this stirring story is the work of Rev. Mr. Williams and promises to be a treat, historic and musical, fraught with the sensational thrills that can only be inspired by a mighty theme and a master impersonator. Interspersing the narration will be descriptive vocal numbers specially adapted to the drama. These numbers will be founded on the majestic old Jewish hymns and will be sung by a quartette composed of Mrs. Ray Forster, Miss Margaret Franklin, Mrs. Charles Andrews and Mr. Ormsby with Mr. Stanley presiding at the piano. It is likely the small church will be crowded to overflowing when the recital of the drama begins at eight o'clock tomorrow evening.

## MESILLA VALLEY IS PREPARING TO BOOST

Renewed Efforts to Attract Fertile Spot Being Made by Las Cruces Business Men and Live Wires.

Tony A. Perlet, one of the real live wires from the Mesilla valley, was in the city this morning, conferring with Secretary H. B. Henning of the bureau of immigration on the best means of boosting the Berino-Anthony-Law-Tracy section of the Rio Grande valley. Mr. Perlet said that the business men of Las Cruces were getting ready to do some extensive boosting work, especially in the line of getting the farmers interested in the chamber of commerce work. He also told of an advertising envelope which has been put out and which is having a wide sale in the Berino-Anthony section. This envelope bears a red heart and the caption, the heart of the Mesilla valley, the heart being located upon a map of the country in that district, its center set at Anthony.

## MORTUARY.

The funeral services over the remains of D. E. Thomas, who died here recently, will take place in French & Lowmyer's chapel tomorrow afternoon at 2:30. The Rev. Hugh A. Cooper officiating. Interment will be in Fairview cemetery.

## CHANGE IN WOMAN'S LIFE

Made Safe by Lydia E. Pinkham's Vegetable Compound.

Graniteville, Vt.—"I was passing through the Change of Life and suffered from nervousness and other annoying symptoms, and I can truly say that Lydia E. Pinkham's Vegetable Compound has proved worth mountains of gold to me, as it restored my health and strength. I never forget to tell my friends what Lydia E. Pinkham's Vegetable Compound has done for me during this trying period. Complete restoration to health means so much to me that for the sake of other suffering women I am willing to make my trouble public so you may publish this letter."—Mrs. CHAS. BARCLAY, R.F.D., Graniteville, Vt.

No other medicine for woman's ills has received such wide-spread and unqualified endorsement. No other medicine we know of has such a record of cures as has Lydia E. Pinkham's Vegetable Compound.

For more than 20 years it has been curing woman's ills such as inflammation, ulceration, fibroid tumors, irregularities, periodic pains and nervous prostration, and it is unequalled for carrying women safely through the period of change of life.

Mrs. Pinkham, at Lynn, Mass., invites all sick women to write her for advice. Her advice is free, and always helpful.

## "SHRINERS' MECCA" COMMITTEEMEN IN THE CITY

Talks Interestingly of Plans for Gathering-Place for Nobles of the Entire Country.

The plan of the First Imperial Potentate Fred A. Hines of Los Angeles, for a "Shriners' Mecca" was discussed in an interesting manner today by J. Wellington Boyle of New York, a member of the committee on investigation and location for a gathering place of that character for all the nobles of the country.

Mr. Boyle passed through here on the California limited, bound for San Diego, where he will spend the winter. He was accompanied by his wife. "At the last session of the Imperial council in Rochester, N. Y., the then retiring potentate, Fred A. Hines, of Los Angeles, incorporated in his report, a suggestion that a place be selected somewhere in the country to form a Mecca for all Shriners. You know, there is no place in the country, no city large enough to accommodate the thousands of Shriners who attend the national gatherings, unless it be a tourist resort out of the tourist season. The need of a suitable place for the national meetings has long been felt. Even in places like Rochester, accommodations were so scarce that the Shriners were subjected to abominable extortions, rooms being rented at five and six times their actual value, and similar prices being the rule elsewhere.

"The council approved the suggestion made by Mr. Hines, and a committee of five men was appointed to investigate the project and see if we could hit upon a suitable location. This committee was composed of the following: Fred A. Hines of Los Angeles, J. Wellington Boyle of Utica, New York; Norman de Barer of Oklahoma; George W. McCandless of Pittsburgh; and Frank C. Rounley of Pittsburgh.

"Soon after its appointment, the committee, as guests of the Pere Marquette railroad, were taken up on the Michigan coast near the town of Charlevoix, where a site was shown them for the proposed Shriners' township. They were given to understand that 5,000 acres of land there would be given, as well as practically \$100,000 in money, if they would build their Mecca on that spot. Now the plan is that of the hundred-and-odd temples in the country, every one of which would build a temple house, a sort of club house for the members, on that ground, will receive a plot of five or ten acres of ground. Then every Noble who would build a hangar, costing, say, five or ten hundred dollars, will receive an acre or two, in that way a township would be formed, composed solely of Shriners and their families. There is no objection to the Shriners except the constitution that location their Mecca. The town of Charlevoix offered to build the electric light lines out to the site, as well as the streets, water mains and sewers. The whole thing is given simply because of the benefit three great railway systems, and the town of Charlevoix expect to derive from the traffic of the Nobles to their Mecca, and the benefit of their living and doing their buying in Charlevoix.

"Now that is the scheme which the committee will present to the Imperial council when it meets."

Mr. Boyle is himself a prominent past master of the order, and is secretary of the Mecca committee. He is also chairman of the jurisprudence and law committee of the order, and has been given the "twenty-one year honor."

## MANY GIRLS WRITE LETTERS TO ED. GREEN

Mrs. Betty Green Thinks That Jokes Are Curled Too Far in Regard to the Matrimonial Possibilities of Her Son.

(By Evening Herald A. P. Leased Wire) New York, Nov. 14.—Mrs. Betty Green says her son, Col. Edward H. Green, is not going back to live in Texas, at least not until he wants to. "This story that Governor Colquitt is going to order him back because he needs him on his staff is nonsense," she declared. "I can go back if he wants to, and I can go wherever I like. I'm a great traveler myself and I don't mind it."

Regarding her son's matrimonial prospects, Mrs. Green added: "There are a lot of women writing to Ed and going to the hotel and trying to see him, but he don't see them and don't want to. It's all a joke, but it's a pity to joke when you have work to do."

## PERSONALS.

G. F. Murray of Hodges, who is well known here, is spending a few days in the city.

The local lodge of Beavers will meet this evening at their lodge rooms at 8 o'clock.

Isaac Harth, who has been confined to his bed for the past few days, owing to his activities preceding the election, is about recovered and will be about in a few days.

George Simms and F. F. Hall, two local almsroads, returned from the mountains today, and report that they succeeded in bringing home four big wild turkeys.

M. R. Berry, advertising agent of the Louisville and Nashville, is in the city on a pleasure trip. He will spend several days here, making short trips to points of interest in the nearby country.

Wanted. Competent girl to do cooking and general housework (good wages). Apply forebears, 702 W. Cooper ave. 11



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## THERE WILL BE A RATES RECEIVED FOR SPECIAL COUNCIL MEETING FRIDAY

Paving Proposition to Come Up Before City Fathers Once More, With Wood Blocks Lacking.

The city council will hold a special meeting Friday night to consider the paving proposition. At the last meeting of the council, the matter was deferred until it could be ascertained whether or not the American Lumber company could furnish wood blocks for paving. A special meeting was to be called as soon as this information was in the hands of the paving committee, and it now having been announced that the company cannot furnish wood blocks, the council, it is expected, will decide upon some one of the paving materials already presented to its attention, or will select another.

## INDIAN FIGHTER DREAMS OF SHOOTING

(By Evening Herald A. P. Leased Wire) Chickasha, Okla., Nov. 14.—Thomas Burke, an old Indian fighter and for twenty years deputy United States marshal of this district, shot himself in a dream. Burke was in Duncan serving warrants for the coming session of the federal court in this city. He slept at a hotel with his revolver under his pillow. In a nightmare he believed he was pursuing a train robber. He seized his revolver and pulled the trigger. The bullet went through the pillow and struck him in the lower jaw.

## ROGUES TAKEN INTO CUSTODY.

(By Evening Herald A. P. Leased Wire) Salt Lake City, Utah, Nov. 14.—F. J. Caswell and Roy Grayden, wanted in Sheridan and other Wyoming towns on charges of obtaining money under false pretenses, were taken back to Cheyenne today in charge of Wyoming officers. Caswell and Grayden are said to have victimized merchants along the line of the Union Pacific in Wyoming by representing themselves to be business representatives of a Denver newspaper.

## FREIGHT OFFICIALS SUBPOENAED BY COURT

(By Evening Herald A. P. Leased Wire) Kansas City, Mo., Nov. 14.—Freight traffic officials of every initial railroad here have been subpoenaed to Chicago to testify in the hearing of the case brought by the government against the alleged packing house combine.

The officials are instructed to bring with them statements showing the number of pounds of dressed beef, pork and mutton received by their lines in Kansas City for every month from January 1, 1908 to Jan. 1911. The statements must show by whom such shipments were made, where it was loaded and to whom it was consigned.

## To Cure a Cold in One Day.

Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature is on each box. 25c.

## J. R. Lewis of Las Vegas is in Albuquerque on a brief business visit.

## Headquarters for Alarm Clocks

**The Big Ben Alarm**  
**The Junior Tatoo**  
**The Bull's Eye**

**S. VANN & SON**  
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## The Markets

**DOWNWARD SLUMP OF STOCKS TODAY**

General Hesitating Tone Among Brokers Increased When News of Ouster Decees Reached Street.

(By Evening Herald A. P. Leased Wire) New York, N. Y., Nov. 14.—Despite early evidences of firmness among some of the speculative leaders, the stock market was hesitating and irregular during most of the morning with a downward tendency.

The profit-taking which began on a large scale late last week was continued today, and was effectual in bringing about reaction when particular stocks moved upwards. The market also was affected unfavorably by the master decree against the international harvester company in Missouri.

The news caused a sudden drop in the stock of 5-8 to 102 7-8. Bear traders took advantage of this incident to attack the general market, and prices yielded easily. American Smelting sold a point under yesterday's close and most of the other important stocks a substantial fraction.

Central Railroad of New Jersey gave away seven points. The tone was better at midday but there was scarcely any inquiry for stocks.

Bonds were irregular. Stocks were unloaded freely again and the whole market became active and weak. St. Paul made a sudden drop of over 2 points to 110 1-2 on a few sales which had a bad effect on sentiment.

The recognized leaders also broke sharply. United States Steel falling 1-1/2 below yesterday's closing. Union Pacific touched 170 1-4 against 171 5-8 earlier. Southern Pacific, Rock Island preferred and American Locomotive preferred also lost a point each. A fractional rally threw the market into doubt before 1 o'clock.

The shorts lost a hurried retreat when manipulative tactics were resumed in the coalers, and Harriman stocks and the market rebounded swiftly. St. Paul was about the only leading stock that did not recover to yesterday's close price or above.

The close was heavy.

## Kansas City Live Stock.

Kansas City, Mo., Nov. 14.—Cattle receipts 18,000, including 1,000 southern, market steady to shade lower. Natives, \$2.50@2.60; southern steers, \$4.00@4.25; southern cows and heifers, \$2.75@4.50; stockers and feeders, \$2.85@5.75; bulls, \$3.25@4.70; calves, \$4.00@7.00; western steers, \$4.00@7.25; western cows, \$2.75@3.00.

Hogs—Receipts 13,000; market 5c to 10c lower. Bulk of sales, \$3.50@4.00; heavy, \$3.25@4.15; packers and butchers, \$3.25@4.40; lights, \$3.75@4.30; pigs, \$4.25@5.40.

Sheep—Receipts 15,000; market steady. Muttons, \$3.00@4.00; lambs, \$4.25@6.00; range wethers and yearlings, \$3.25@4.75; range ewes, \$2.00@2.75.

## SMALL INCREASE IN EUROPEAN SUPPLY

Chicago, Ill., Nov. 14.—With the European visible supply showing a smaller increase than expected traders on the bull; definite wheat market today felt somewhat encouraged. The opening was the same as last night to 3-4 cts. Receipts 13,000; market steady. Muttons, \$3.00@4.00; lambs, \$4.25@6.00; range wethers and yearlings, \$3.25@4.75; range ewes, \$2.00@2.75.

The high run of hogs west made provisions weak. Initial sales were a shade to 1/4c down, with May at \$15.40 to \$16.00 for pork; \$9.50 for lard and \$3.25 for ribs.

## St. Louis Wool.

St. Louis, Mo., Nov. 14.—Wool unchanged; territory and western medium, 16 1/2@21c; fine medium, 16 1/2@18c; fine, 11 1/2@15c.

## New York Stocks.

New York, Nov. 14.—Close: Amalgamated Copper, \$5 7-8. Sugar 116 3-4. Atchafalpa 107 1-8. Great Northern 127 1-2. New York Central 107 1-8. Northern Pacific 119. Reading 150 5-8. Southern Railway 112 1-4. Union Pacific 170 5-8. U. S. Steel 62 1-8. U. S. Steel pfd 109.

## Chicago Grain.

Chicago, Nov. 14.—Close: Wheat—Dec. 93 1-2@1 1/2; May 99 1/2@1 1/2. Corn—Dec. 41 3-4; May 65. Oats—Dec. 41 1-2; May 58 1-2. Pork—Jan. \$10 17 1/2. Lard—Jan. \$25 25 1/2@27 1/2. Rib—Jan. \$3 37 1-2.

## New York Money.

New York, Nov. 14.—Call money 2 3-4 per cent; prime paper 4 1/2@4 3/4; silver 56 3-8; Mexican dollars 46 1/2.

## New York Metals.

New York, Nov. 14.—Copper \$12.20; tin \$12.60@12.80; lead \$4.25@4.30.

St. Louis Spelter. St. Louis, Mo., Nov. 14.—Lead steady, \$1.10; spelter strong, \$3.40.

New York Cotton. New York, Nov. 14.—Cotton spot closed quiet; 10 points higher; middling uplands \$2.60; middling gulf \$2.55; sales 14 bales.